



UNITED STATES DISTRICT COURT
District of Alaska

FILED

SEP - 4 2007

Ida Romack, Clerk of Court

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Federal Building, U.S. Courthouse
222 West 7th Ave., #4
Anchorage, AK 99513-7564
907-677-6100

U.S. Courthouse
101 12th Ave., Box 1
Fairbanks, AK 99701-6283
907-451-5791

U.S. Courthouse
709 West 9th Ave.
P.O. Box 020349
Juneau, AK 99802-0349
907-586-7780

August 29, 2007

Clerk of Court
Northern District of California
Phillip Burton U.S. Courthouse
16th Floor
450 Golden gate Ave.
San Francisco, CA 94102

Re: Kevin Renaldo Arnold
Our Case Number: 3:07-mj-00172-JDR
Your Case Number: 4:07-cr-00488-CW

Dear Clerk:

Initial Transfer Out

Enclosed please find Probation Form 22 initiating the Transfer of Jurisdiction to your district. Please return the original to this office after jurisdiction has been accepted. When received, we will forward certified copies of the pertinent documents to you.

Final Transfer Out

Enclosed please find the original Probation Form 22 transferring the jurisdiction from the District of Alaska to your district. Also, enclosed are certified copies of the charging document, Judgment & Commitment Order and docket sheet.

Transfer In

Enclosed please find Probation Form 22 indicating that our court has accepted jurisdiction. Please forward the docketed original Probation Form 22, and certified copies of the charging document, Judgment & Commitment Order, and docket sheet for only this defendant.

Rule 40 Removal Proceedings

XX Enclosed please find certified copies of all documents and docket sheet from our court.

Rule 20

Enclosed please find the original order transferring case to the Northern District of California and a certified copy of the docket sheet and certified copies of the entire file.

Please acknowledge receipt of these documents by returning a copy of the enclosed letter in the envelope provided.

Sincerely,

IDA ROMACK, CLERK OF COURT

Denali J. Elmore
Denali J. Elmore, Deputy Clerk

AO 94 (Rev. 12/03) Commitment to Another District

UNITED STATES DISTRICT COURT

UNITED STATES OF AMERICA

District of
Alaska

COMMITMENT TO ANOTHER DISTRICT

V.
Kelvin Renaldo Arnold

3:07-mj-00172-JDR

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

3:07-mj-00172-JDR

4:07-cr-00488-CW

Alaska

Northern District of California

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☒ Indictment ☐ Information ☐ Complaint ☐ Other (specify)

charging a violation of

U.S.C. §

DISTRICT OF OFFENSE

Northern District of California

DESCRIPTION OF CHARGES:

18:1028(f) Conspiracy to unlawfully transfer or use a means of Identification of another

CURRENT BOND STATUS:

- ☐ Bail fixed at _____ and conditions were not met
☒ Government moved for detention and defendant detained after hearing in District of Arrest
☐ Government moved for detention and defendant detained pending detention hearing in District of Offense
☐ Other (specify)

Representation: ☐ Retained Own Counsel ☒ Federal Defender Organization ☐ CJA Attorney ☐ None

Interpreter Required? ☒ No ☐ Yes Language:

DISTRICT OF

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

Aug 28, 2007
Date

/s/ John D. Roberts, USMJ

Signature Redacted

Magistrate Judge

RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

Certified to be a true and correct copy of original filed in my office.

Dated 8/29/07

IDA ROMACK, Clerk

By Wendy J. Elmore Deputy

MINUTES OF THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

U.S.A. vs. KELVIN RENALDO ARNOLD CASE NO. 3:07-mj-00172-JDR
Defendant: X Present X In Custody

BEFORE THE HONORABLE: JOHN D. ROBERTS

DEPUTY CLERK/RECORDER: APRIL KARPER

UNITED STATES' ATTORNEY: AUDREY RENSCHEN

DEFENDANT'S ATTORNEY: KEVIN MCCOY - APPOINTED

U.S.P.O.: PAULA MCCORMICK

PROCEEDINGS: INITIAL APPEARANCE ON NORTHERN DISTRICT OF
CALIFORNIA WARRANT OF ARREST HELD AUGUST 20, 2007:

At 3:41 p.m. court convened.

X Copy of Indictment given to defendant.

X Defendant sworn.

X Defendant advised of general rights.

X Defendant advised of charges and penalties.

X Defendant stated true name: Same as above.

X Financial Affidavit **FILED**.

X Federal Public Defender accepted appointment; FPD notified.

X Defendant detained. Detention / Identity Hearing set for August 28, 2007 at 1:00 p.m.

X Order of Temporary Detention Pending Hearing **FILED**.

At 3:55 p.m. court adjourned.

DATE: August 20, 2007 DEPUTY CLERK'S INITIALS: amk

IN UNITED STATES ☒ **MAGISTRATE** ☐ **DISTRICT** ☐ **APPEALS COURT** or ☐ **OTHER PANEL** (Specify below)

IN THE CASE OF U.S.A. v.S. ARNOLD

FOR ALASKA
AT ANCHORAGE

LOCATION NUMBER

PERSON REPRESENTED (Show your full name)
KELVIN RENALDO ARNOLD

CHARGE/OFFENSE (describe if applicable & ☒ Felony ☐ Misdemeanor)

1 ☒ Defendant—Adult
2 ☐ Defendant - Juvenile
3 ☐ Appellant
4 ☐ Probation Violator
5 ☐ Parole Violator
6 ☐ Habeas Petitioner
7 ☐ 2255 Petitioner
8 ☐ Material Witness
9 ☐ Other

DOCKET NUMBERS
Magistrate
3:07-mj-00172-JDR
District Court
Court of Appeals

EMPLOYMENT

Are you now employed? ☐ Yes ☒ No ☐ Am Self-Employed
Name and address of employer: _____
IF YES, how much do you earn per month? \$ _____ IF NO, give month and year of last employment 7-2006
How much did you earn per month? \$ 1200 gross

If married is your Spouse employed? ☐ Yes ☐ No
IF YES, how much does your Spouse earn per month? \$ _____ If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ _____

OTHER INCOME

Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? ☐ Yes ☒ No
RECEIVED SOURCES
IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY THE SOURCES \$ _____

CASH

Have you any cash on hand or money in savings or checking accounts? ☐ Yes ☒ No IF YES, state total amount \$ _____

PROPERTY

Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ☐ Yes ☒ No
IF YES, GIVE THE VALUE AND \$ DESCRIBE IT

VALUE	DESCRIPTION
_____	_____
_____	_____
_____	_____

DEPENDENTS

MARITAL STATUS
☒ SINGLE
☐ MARRIED
☐ WIDOWED
☐ SEPARATED OR DIVORCED

Total No. of Dependents _____

List persons you actually support and your relationship to them

DEBTS & MONTHLY BILLS
(LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CREDIT ACCOUNTS, ETC.)

APARTMENT OR HOME:	Creditors	Total Debt	Monthly Paymt.
<u>Hosp. tel</u>		\$ <u>4000.00</u>	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date)

SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)

August 20, 2007
Kelvin Arnold
Certified to be a true and correct copy
of original filed in my office.
Dated 8/29/07
IDA ROMACK, Clerk
By Derald F. Elmore Deputy

District of _____ Alaska

UNITED STATES OF AMERICA

V.

**ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT TO
BAIL REFORM ACT**

KELVIN RENALDO ARNOLD
Defendant

Case Number: 3:07-mj-00172-JDR

Upon motion of the defendant, it is ORDERED that a
detention hearing is set for 8/28/07 * at 1:00 pm
Date Time

before John D. Roberts
Name of Judicial Officer
Anchorage, Alaska
Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States marshal) (_____) and produced for the hearing.

Other Custodial Official

Date: August 20, 2007

SIGNATURE REDACTED

JOHN D. ROBERTS, U.S. MAGISTRATE JUDGE

*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

Certified to be a true and correct copy
of original filed in my office.

Dated 8/29/07

IDA ROMACK, Clerk
Deputy

Kevin F. McCoy
Assistant Federal Defender
FEDERAL PUBLIC DEFENDER
FOR THE DISTRICT OF ALASKA
601 West Fifth Avenue, Suite 800
Anchorage, Alaska 99501
(907) 646-3400

Attorney for Defendant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KELVIN RENALDO ARNOLD,

Defendant.

NO. 3:07-mj-00172-JDR

**NOTICE OF INTENT TO WAIVE
IDENTITY HEARING**

Kelvin Arnold intends to waive his right to an identity hearing and consent to a transfer of this matter to the Northern District of California.

DATED at Anchorage, Alaska this 24th day of August 2007.

Respectfully submitted,

/s/Kevin F. McCoy
Assistant Federal Defender
601 West Fifth Avenue, Suite 800
Anchorage, AK 99501
Phone: 907-646-3400
Fax: 907-646-3480
E-Mail: kevin_mccoy@fd.org

Certified to be a true and correct copy
of original filed in my office.
Dated 8/24/07
By IDA ROMACK, Clerk
Denise J. Elmer Deputy

Certification:

I certify that on August 24, 2007,
a copy of the *Notice of Intent to
Waive Identity Hearing* was served
electronically on:

Audrey J. Renschen
Assistant United States Attorney
U.S. Attorney's Office
222 West Seventh Avenue #9, Room 253
Anchorage, AK 99513-7567

/s/Kevin F. McCoy

UNITED STATES DISTRICT COURT

DISTRICT OF ALASKA

UNITED STATES OF AMERICA

V.

KELVIN RENALDO ARNOLD

Defendant

WAIVER OF RULE 40 HEARINGS (All Criminal Cases)

JUDGE: JOHN D. ROBERTS

CASE NUMBER: 3:07-MJ-00172-JDR

I understand that charges are pending in the Northern District of California
alleging violation of 18 USC § 1028(e) and that I have been arrested in this district and
(Title and Section / Probation / Supervised Release)
taken before a United States magistrate judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;

- Check one only -

☐ ALL CASES EXCEPT PROBATION OR SUPERVISED RELEASE:

- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

☐ PROBATION OR SUPERVISED RELEASE VIOLATION CASES:

- (3) a preliminary hearing (but only if I will be kept in custody, and only to be held in this district if the violation occurred here) to determine whether there is probable cause to believe a violation occurred; and
- (4) a hearing under Rule 32.1(a)(6), Fed. R. Crim. P., in which I have the burden of establishing my eligibility for release from custody.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ☐ identity hearing
- ☐ preliminary hearing
- ☒ identity hearing and have been informed I have no right to a preliminary hearing
- ☐ identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

August 28, 2007
Date

Kelvin Arnold
Defendant

Sam F. McCoy
Defense Counsel

Certified to be a true and correct copy
of original filed in my office.

Dated 8/29/07

IDA ROMACK, Clerk

By Denise Elmore Deputy

UNITED STATES DISTRICT COURT

District of

Alaska

UNITED STATES OF AMERICA

Kelvin Renaldo Arnold
Defendant

ORDER OF DETENTION PENDING TRIAL

Case Number: 3:07-mj-00172-JDR

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I—Findings of Fact

- ☐ (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has been convicted of a ☐ federal offense ☐ state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed - that is
- ☐ a crime of violence as defined in 18 U.S.C. § 3156(a)(4).
- ☐ an offense for which the maximum sentence is life imprisonment or death.
- ☐ an offense for which a maximum term of imprisonment of ten years or more is prescribed in _____
- ☐ a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. § 3142(f)(1)(A)-(C), or comparable state or local offenses.
- ☐ (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense.
- ☐ (3) A period of not more than five years has elapsed since the ☐ date of conviction ☐ release of the defendant from imprisonment for the offense described in finding (1).
- ☐ (4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community. I further find that the defendant has not rebutted this presumption.

Alternative Findings (A)

- ☐ (1) There is probable cause to believe that the defendant has committed an offense
- ☐ for which a maximum term of imprisonment of ten years or more is prescribed in _____
- ☐ under 18 U.S.C. § 924(c).
- ☐ (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings (B)

- ☒ (1) There is a serious risk that the defendant will not appear.
- ☒ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

Removal stated in present service report.
Detention not contested at this time.

Part II—Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing establishes by ☐ clear and convincing evidence ☐ a preponderance of the evidence that

Part III—Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

8-28-07
Date

/s/John D. Roberts, USMJ
Signature Redacted

JOHN D. ROBERTS, U.S. MAGISTRATE JUDGE

Name and Title of Judge

*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. § 881 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).

Certified to be a true and correct copy
of original filed in my office.

Dated 8/29/07

IDA ROMACK, Clerk

By Denise Elmore Deputy

MINUTES OF THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

U.S.A. vs. KELVIN RENALDO ARNOLD CASE NO. 3:07-MJ-00172-JDR

Defendant: X Present X In Custody

BEFORE THE HONORABLE: JOHN D. ROBERTS

DEPUTY CLERK/RECORDER: SAMANTHA LARK

UNITED STATES' ATTORNEY: AUDREY RENSCHEN

DEFENDANT'S ATTORNEY: KEVIN MCCOY

U.S.P.O.: BARBARA BURTON

PROCEEDINGS: STATUS HEARING (DETENTION/IDENTITY HEARING) HELD
08/28/2007:

At 1:06 p.m. court convened.

Defendant waived Identity Hearing: Waiver of Rule 40 Hearings
FILED.

Court and counsel heard; detention not contested; Defendant's
detention continued; Order of Detention Pending Trial **FILED.**

Court ordered defendant be transported to the Northern District
of California.

At 1:12 p.m. court adjourned.

OFF RECORD: Commitment to Another District **signed;** Original
and one copy to the USM.

DATE: August 29, 2007 DEPUTY CLERK'S INITIALS: sal/nkd

Revised 6-18-07

Certified to be a true and correct copy
of original filed in my office.

Dated 8/29/07

By IDA ROMACK, Clerk
Danah J. Elmer Deputy

**U.S. District Court
District of Alaska (Anchorage)
CRIMINAL DOCKET FOR CASE #: 3:07-mj-00172-JDR All Defendants
Internal Use Only**

Case title: USA v. Arnold
Other court case number: 4:07-cr-00488-CW Northern
District of California

Date Filed: 08/20/2007

Assigned to: John D. Roberts

Defendant

Kelvin Renaldo Arnold (1)

represented by **Kevin F. McCoy**
Federal Public Defender's Agency
601 W. 5th Ave., Suite 800
Anchorage, AK 99501
907-646-3400
Fax: 907-646-3480
Email: Kevin_Mccoy@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

18:1028(f) CONSPIRACY TO
UNLAWFULLY TRANSFER OR USE
A MEANS OF IDENTIFICATION OF
ANOTHER
(1)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Certified to be a true and correct copy
of original filed in my office.

Dated 8/29/07

By IDA ROMACK, Clerk
Denali G. Elmer Deputy

Disposition

Plaintiff

USA

represented by **Audrey J. Renschen**
 U.S. Attorney's Office (Anch)
 Anchorage
 222 West 7th Avenue, #9
 Anchorage, AK 99513
 907-271-5071
 Fax: 907-271-1500
 Email: audrey.renschen@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nelson P. Cohen
 U.S. Attorney's Office (Anch)
 222 West 7th Avenue, #9
 Anchorage, AK 99513
 Email: karen.loeffler@usdoj.gov

Date Filed	#	Docket Text
08/17/2007	<u>1</u>	Notice of Arrest of Kelvin Renaldo Arnold defendant arrested 8/17/07. (RMC, COURT STAFF) (Entered: 08/20/2007)
08/20/2007	<u>1</u>	Northern District of California Indictment as to Kelvin Renaldo Arnold (Attachments: # <u>1</u> Northern District of CA Docket Sheet# <u>2</u> Issued Warrant of Arrest)(RMC, COURT STAFF) (Entered: 08/20/2007)
08/20/2007	<u>1</u>	Counts added: Kelvin Renaldo Arnold (1) count(s) 1 (RMC, COURT STAFF) (Entered: 08/20/2007)
08/20/2007	<u>2</u>	JDR ORDER as to Kelvin Renaldo Arnold; Initial Appearance on Northern District of California Warrant of Arrest set for 8/20/2007 03:30 PM in Anchorage Courtroom 6 before John D. Roberts. cc: USM, USPO (RMC, COURT STAFF) (Entered: 08/20/2007)
08/20/2007	<u>3</u>	Minute Entry for proceedings held before Judge John D. Roberts :Initial Appearance on Northern District of California Warrant of Arrest as to Kelvin Renaldo Arnold held on 8/20/2007. FPD appointed. Defendant detained; Detention / Identity Hearing set for 8/28/2007 01:00 PM in Anchorage Courtroom 6 before John D. Roberts. (Court Recorder AMK.) Government Counsel-Audrey Renschen; Defense Counsel-Kevin McCoy; USPO/PTS Officer-Paula McCormick. Defendant Present In Custody. cc: FPD/CJA Clerk, USM, USPO.(AMK, COURT STAFF) (Entered: 08/20/2007)
08/20/2007	<u>4</u>	CJA 23 Financial Affidavit by Kelvin Renaldo Arnold (AMK, COURT STAFF) (Entered: 08/20/2007)
08/20/2007	<u>5</u>	ORDER OF TEMPORARY DETENTION PENDING HEARING as to Kelvin Renaldo Arnold. Detention Hearing set for 8/28/2007 01:00 PM

		in Anchorage Courtroom 6 before John D. Roberts. Signed by Judge John D. Roberts on 08/20/07. cc: USM, USPO.(AMK, COURT STAFF) (Entered: 08/20/2007)
08/24/2007	●6	NOTICE of Intent to Waive Identity Hearing by Kelvin Renaldo Arnold (McCoy, Kevin) (Entered: 08/24/2007)
08/28/2007	●7	WAIVER of Rule 40 Hearings by Kelvin Renaldo Arnold. (NKD, COURT STAFF) (Entered: 08/28/2007)
08/28/2007	●8	ORDER OF DETENTION as to Kelvin Renaldo Arnold Signed by Judge John D. Roberts on 8/28/07. cc: USM, USPO (NKD, COURT STAFF) (Entered: 08/28/2007)
08/28/2007	●9	Minute Entry for proceedings held before Judge John D. Roberts :Status Conference (Detention/Identity Hearing) as to Kelvin Renaldo Arnold held on 8/28/2007; Identity hearing waived; Detention not contested; defendant detained; defendant order transported to Northern District of California. (Court Recorder SAL.) Government Counsel-Audrey Renschen; Defense Counsel-Kevin McCoy; USPO/PTS Officer-Barbara Burton. Defendant Present In Custody. cc: USM, USPO (NKD, COURT STAFF) (Entered: 08/29/2007)
08/28/2007	●10	COMMITMENT TO ANOTHER DISTRICT as to Kelvin Renaldo Arnold. Defendant committed to the Northern District of California. Signed by Judge John D. Roberts on 8/28/07. cc: USM, USPO. (DJE, COURT STAFF) (Entered: 08/29/2007)